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PTO/SB/84 (10-00)

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
RCA 88423

First named inventor: Harold Blatter

Application No.: 09/269,684

Group Art Unit: 2615

Filed: March 30, 1999

Examiner: Robert Chevalier

Title: Digital Recorder With Trick Play Operation

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$1280 (37 CFR 1.17(m)) Please charge deposit account 07-0832

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

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JAN 27 2003

PETITIONS OFFICE

PTO/SB/64 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

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January 27, 2003

Date

Francis A. Davenport

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Enclosures: X Fee Payment

X Reply

☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ _____

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Francis A. Davenport, Reg. 36,316

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FAX NO.: 703-308-6916 EXT: _____

FROM: Francis A. Davenport

EXT: 609-734-6805 NO. OF PAGES (including cover) 11

DATE: January 27, 2002

REMARKS: Serial # 09/269, 684

Filed = 3/30/1999

Title - Digital Recorder With
Track Play Operations
Block # PCA 85423

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SERIAL No 09/269,684

-1-

RCA 88423

#813

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Harold Blatter
 Serial No. : 09/269,684
 Filed : March 30 1999
 For : Digital Recorder With Trick Play Operation
 Art Unit : 2615
 Examiner : Robert Chevalier

ASC
 3/2/03

AMENDMENT PURSUANT TO 37 C.F.R. 1.111

Hon. Assistant Commissioner for Patents
 Washington, DC 20231

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PETITIONS OFFICE

Sir:

In response to the Office Action dated June 5, 2002, in the subject patent application, applicants recognize the allowance of claims 15 - 18 with thanks. The following amendments are respectfully submitted to place the claims in condition for allowance.

In the Claims

- Cancel claims 1 - 5 without prejudice.
- Cancel claims 11 - 14 without prejudice.
- Amend claim 9 as follows:

--9. (Second amendment) A recording and replay apparatus comprising:
 a source of an MPEG bit stream signal coupled to said apparatus for recording;
 means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal;
 a pair of record transducers each aligned for recording said record signal and having complementary azimuth angles; and,

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 Reg. No. 36,316

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a control means coupled to receive a signal identifying an intra coded frame occurrence in said MPEG bit stream signal and controllably coupled to said generating means, wherein responsive to said identifying signal said control means initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream by a predetermined one of said transducer pair having a specific azimuth angle.--

Claim 10 amend as follows:

--10. (Second amendment) A recording and replay apparatus comprising:

a source of an MPEG bit stream signal coupled to said apparatus for recording;

means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal

a record transducer pair having complementary azimuth angles for recording said record signal;

a recording head coupled to a control track signal generator and generating a control track signal for recording;

a control means for receiving a signal identifying an intra coded frame occurrence in said MPEG bit stream signal, said control means being controllably coupled to said record signal generating means and to said control track signal generator; and,

responsive to said identifying signal said control means enabling said record signal generating means for coupling a record signal representative of an intra coded frame part of said MPEG bit stream for recording by a predetermined one transducer of said transducer pair having a specific azimuth angle, and responsive to said identifying signal said control means modifies said control track signal for recording.--

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Add new claim 19 as follows:

--19. The recording and replay apparatus of claim 10, wherein said control track signal is coupled to a single transducer and recorded with a longitudinal track placement.--

REMARKS

Claims 1 - 5, and 11 - 14 are canceled without prejudice, however these claims were also canceled in the IPER.

Claims 9 and 10 are amended. Claim 19 is added and depends from claim 10.

Claims 1 - 14 stand rejected under 35 USC 102 (b) as being anticipated by Masako et al. (GB 2288510).

In claim 6 applicants' recite a record and replay apparatus comprising an input coupled to a source of an MPEG bit stream signal for recording. A first transducing means records a digital signal representative of the MPEG bit stream. A control means is coupled to the MPEG bit stream signal and generates a signal indicating an intra coded frame occurrence in the MPEG bit stream. A second transducing means records and reproduces a reference signal. A means is responsive to the indicating signal and generates an identifying signal for recording with the reference signal.

The record and replay apparatus of claim 6 recites two transducers. Applicants' first transducer records a digital signal representative of the MPEG bit stream. Applicants' second transducer records and reproduces a reference signal. Applicants' recite generating an I frame identifying signal which is recorded together with the reference signal by the second transducer.

Masako et al. teach a digital recording apparatus and, in particular, the recording and reproduction of MPEG signals at other than play speed also known as trick play. Figure 27 of Masako et al. shows I frame detection (204) and the formation of a fast play data therefrom (205). Blocks 206 and 208 of Figure 27 store and append the fast play (HP) data which is combined with the main bit stream in block 209 to form a single signal which is coupled via blocks 201, 211, 212 and recorded by block 214a/b. Figures 2 and 3 show recorded tracks with different information contained at different locations along each track. During a replay mode the combined signal is read from the track and separated into normal speed replay data and HP or fast play data. The track address is identified from the replay data and this is processed in accordance with header syntax identifying the I frame.

Simply stated, Masako et al. teach the generation and recording of trick play mode data which is muxed within the recorded track. During replay Masako et al. acquires track addresses and by analyzing headers that identify I frames. In addition, by knowing / having a predetermined on tape I frame track repeat number Masako et al. can move the tape the required distance to acquire the next I frame which includes trick play data.

Although the objective of Masako et al. is the provision of trick play modes, the solution taught by Masako et al. is clearly different to that of applicants'.

Specifically Masako et al. makes no mention of applicants' recited;

"...second transducing means for recording and reproducing a reference signal..."

Masako et al. teaches the use of recorded track containing sync, ID information and MPEG representative data, and thus has no requirement for a second transducing means recording applicants' recited reference signal.

In addition although Masako et al. identify I frames in order to form HP (trick play) data, Masako et al. make no mention nor suggestion of responding to the I frame indicating signal by;

"...generating an identifying signal for recording with said reference signal..."

Since Masako et al. make no mention nor suggestion of employing a second transducer for recording and reproducing a reference signal which includes an I frame identifying signal, applicants' claim 6 is not anticipated nor rendered obvious. Withdrawal of the rejection under 35 USC 102 (b) is respectfully requested.

Claims 7 and 8 depend from claim 6 and, are for the same reasons, not anticipated by Masako et al. Claim 8 is additionally patentable because although Masako et al. disclose trick play tape play speed variation, Masako et al. make no mention of controlling the recited, stored play and fast play reproducing sequence as claim 8 recites, being;

"...responsive to said identifying signal coupled from said second transducing means..."

Since Masako et al. fails to disclose or suggest use of a second transducing means for recording the reference and identification signals, claim 8 is not anticipated and is additionally patentable over Masako et al. Withdrawal of the rejection of claims 7 and 8 is respectfully requested.

In claim 9, as amended twice, applicants' recite a recording and replay apparatus. The apparatus is coupled to a source of an MPEG bit stream for recording. A generating means is coupled to the MPEG bit stream signal for generating a record signal representative of the MPEG bit stream signal. A pair of record transducers are each aligned for recording the record signal and have complementary azimuth angles. A control means is coupled to receive a signal identifying an intra coded frame occurrence in the MPEG bit stream signal. The control means is controllably coupled to the generating means, wherein responsive to the identifying signal the control means initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream by a predetermined one of said transducer pair having a specific azimuth angle.

In claim 9 applicants recite that recording of an intra coded frame part of said MPEG bit stream is initiated by a predetermined transducer pair having a specific azimuth angle.

Masako et al. was described previously and is directed to the recording of a specially constructed signal that allows MPEG trick mode replay. Masako et al. form HP data from I frames and insert this new data in the recording stream with specific headers which facilitate identification upon replay. However, Masako et al. make no mention of controlling the initiation of I frame recording as applicants' recite wherein,

"...responsive to said identifying signal said control means initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream by a predetermined one of said transducer pair having a specific azimuth angle..."

Since Masako et al. make no mention of initiating I frame recording with a predetermined transducer with a specific azimuth angle, applicants' claim 9 is not anticipated nor rendered obvious by the teachings of Masako et al. Withdrawal of the rejection of claim 9 is respectfully requested.

Applicants' recite in claim 10, a recording and replay apparatus having a source of an MPEG bit stream signal coupled thereto for recording. A generating means is coupled to the MPEG bit stream signal for generating a record signal representative of the MPEG bit stream signal. A record transducer pair has complementary azimuth angles for recording the record signal. A recording head is coupled to a control track signal generator and generates a control track signal for recording. A control means receives a signal identifying an intra coded frame occurrence in the MPEG bit stream signal, and is controllably coupled to the record signal generating means and to the control track signal generator. In response to the identifying signal the control means enables the record signal generating means for coupling a record signal representative of an intra coded frame part of the MPEG bit stream for recording by a predetermined one transducer of said transducer pair having a specific azimuth angle, and in response to the identifying signal the control means modifies the control track signal for recording.

Masako et al. has been described previously and although being directed to recording an MPEG signal that allows trick mode reproduction, the recording format employed by Masako et al. fails to show, disclose or suggest the use of a control track signal that is modified to indicate the enablement and recording of an intra coded frame representative signal.

Specifically Masako et al. make no mention of a head recording a control track signal as applicants' recite, wherein

"...a recording head coupled to a control track signal generator and generating a control track signal for recording...".

In addition, although Masako et al. teaches the identification of an I frame occurrence in the MPEG bit stream, Masako et al. makes no mention nor suggestion as applicants' recite wherein,

"...a control means for receiving a signal identifying an intra coded frame occurrence in said MPEG bit stream signal, said control means being controllably coupled to generating means and to said control track signal generator...".

Furthermore, since the recording format of Masako et al. fails use a control track and thus a control track signal, Masako et al. fail to provide applicants' claim 10 recited recording control wherein

"...responsive to said identifying signal said control means enabling said generating means for coupling a record signal representative of an intra coded frame part of said MPEG bit stream for recording by a predetermined one transducer of said transducer pair having a specific azimuth angle, and responsive to said identifying signal said control means modifies said control track signal for recording..."

Since the recording format of Masako et al. does not use a control track and control signal, Masako et al. is unable to modify a control track signal to identify the occurrence of an I frame recording by a predetermined one of the transducer pair, applicants' claim 10 is not anticipated nor rendered obvious by Masako et al. Withdrawal of the rejection of claim 10 is respectfully requested.

New claim 19 depends from claim 10 and is for the same reasons not anticipated by Masako et al. Claim 19 is additionally patentable over Masako et al. and the prior art of record because, since Masako et al. does not use a control track, Masako et al. is thus unable to couple a control track signal to a single transducer for recording with "a longitudinal track placement".

Applicant's have explained and demonstrated that claims 6 - 10 are patentably different from the teachings of Masako et al. Applicants respectfully request the allowance of claims 6 - 10 and new claim 19.

Respectfully submitted,
Harold Blatter

1/27/2003

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Patent Operations
Thomson Licensing, Inc.
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AMENDMENTS WITH MARKING TO SHOW CHANGES MADE

Amend claims 9 and 10 as follows:

9. (Second amendment) A recording and replay apparatus comprising:

a source of an MPEG bit stream signal coupled to said apparatus for recording;

means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal;

a pair of record transducers each aligned for recording said record signal and having complementary azimuth angles; and,

a control means coupled to receive a signal identifying an intra coded frame occurrence in said MPEG bit stream signal and controllably coupled to said generating means, wherein responsive to said identifying signal said control means [enabling] initiates recording of a record signal representative of an intra coded frame part of said MPEG bit stream [for recording] by a predetermined one of said transducer pair having a specific azimuth angle.

10. A recording and replay apparatus comprising:

a source of an MPEG bit stream signal coupled to said apparatus for recording;

means coupled to said MPEG bit stream signal for generating a record signal representative of said MPEG bit stream signal

a record transducer pair having complementary azimuth angles for recording said record signal;

a recording head coupled to a control track signal generator and generating a control track signal for recording;

a control means for receiving a signal identifying an intra coded frame occurrence in said MPEG bit stream signal, said control means being controllably coupled to said record signal generating means and to said control track signal generator; and,

responsive to said identifying signal said control means enabling said record signal generating means for coupling a record signal representative of an intra coded frame part of said MPEG bit stream for recording by a predetermined one transducer of said transducer pair having a specific azimuth angle, and responsive to said identifying signal said control means modifies said control track signal for recording.